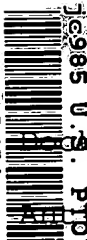


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

04/30/01



Packet No. A-69199-1/DJB/JJD/AMS

Anticipated Classification of
this Application:

Class: Subclass:

Prior Application:

Examiner:

Art Unit:

"EXPRESS MAIL" MAILING LABEL

NUMBER EL 605 085 171 US

DATE OF DEPOSIT April 30, 2001

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE
UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS
ADDRESSED TO: BOX PATENT APPLICATION FEE, ASSISTANT
COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME Mark Rancifer

SIGNED

Mark Rancifer

Box PATENT APPLICATION FEE

Assistant Commissioner for Patents
Washington, DC 20231

For:

This is a request for filing an

☐ Original

☐ Continuation

☐ Divisional

☒ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of Peter Hevezi, David Mack, Kurt C. Gish, Keith E. Wilson, for NOVEL METHODS OF DIAGNOSIS OF PROSTATE CANCER AND/OR BREAST CANCER, COMPOSITIONS, AND METHODS OF SCREENING FOR PROSTATE CANCER AND/OR BREAST CANCER MODULATORS of Invention). This ☐ continuation ☐ divisional ☒ continuation-in-part claims priority to pending application Serial No. 09/733,288, filed on December 8, 2000, which is a continuing application of Application No. 09/687,576, filed October 13, 2000.

1. (a) ☐ Enclosed is a new application.
- (b) ☒ Enclosed is a continuation-in-part application.
- (c) ☐ Enclosed is a copy of the prior application.

A-69199-1/DJB/JJD/AMS

Form 1.16b (8069)

02/01



2. (a) ☐ Enclosed is a new Declaration.
 (b) ☐ Enclosed is a copy of the prior executed Declaration as originally filed.

(c) ☐ Enclosed is a Combined Declaration/Power of Attorney.

3. ☒ Applicant claims small entity status. See 37 CFR 1.27.

4. ☐ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)	(Col. 2)	<u>SMALL ENTITY</u>			<u>OTHER THAN A SMALL ENTITY</u>	
FOR:	<u>NO. FILED</u>	<u>NO. EXTRA</u>	<u>RATE</u>	<u>FEE</u>	OR	<u>RATE</u>	<u>FEE</u>
BASIC FEE				\$355	OR		\$710
TOTAL CLAIMS	<u> </u> -20 =	* <u> </u>	x 9 =	\$ <u> </u>	OR	x 18 =	\$ <u> </u>
INDEP CLAIMS	<u> </u> -3 =	* <u> </u>	x 40 =	\$ <u> </u>	OR	x 80 =	\$ <u> </u>
[] MULTIPLE DEPENDENT CLAIM PRESENTED			+135 =	\$ <u> </u>	OR	+270 =	\$ <u> </u>
*If the difference in Col. 1 is less			TOTAL	\$ <u> </u>	OR	TOTAL	\$ <u> </u>
than zero, enter "0" in Col. 2.							

5. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-69199-1/DJB/JJD/AMS).

6. ☒ The filing fee is **not** enclosed.

7. ☐ Cancel in this application original claims of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

8. ☐ Amend the specification by inserting before the first line the sentence:

9. (a) X Informal drawings are enclosed, 3 sheets.
(b) Formal drawings are enclosed, sheets.
10. (a) Priority of application Serial No. filed on
 in is claimed under 35
U.S.C. 119.
- (b) The certified copy has been filed in prior application
Serial No. filed on .
11. An Assignment is enclosed.
12. X The prior application is assigned of record to EOS
BIOTECHNOLOGY, INC..
13. A Power of Attorney by Assignee is enclosed.
14. X The power of attorney in the prior application is to:

FLEHR HOHBACH TEST
ALBRITTON & HERBERT, LLP
Four Embarcadero Center, Suite 3400
San Francisco, CA 94111-4187
- (a) X The power appears in the original papers in the prior
application.
- (b) Since the power does not appear in the original papers, a copy
of the power in the prior application is enclosed.
- (c) X Address all future communications to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: (415) 781-1989

15. _____ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
16. _____ A Prior Art Statement is enclosed.
17. _____ I hereby verify that the attached papers are a true duplicate of prior application Serial No. _____, filed on _____.

Date: 4/30/01

David J. Brezner

David J. Brezner
(Reg. No. 24,774)

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: (415) 781-1989